

CHAPTER 118.

AN ACT TO AMEND AN ACT TO ESTABLISH A DEPARTMENT OF AGRICULTURE, IMMIGRATION AND STATISTICS, AND FOR THE ENCOURAGEMENT OF SHEEP HUSBANDRY.

The General Assembly of North Carolina do enact:

That the act to establish a department of Agriculture, Immigration and Statistics, and for the encouragement of sheep husbandry, be and the same is hereby amended by inserting the following clause between the word "condemnation" and the word "and," in the fourteenth line of section nine, to wit: *as hereinafter prescribed.*

Ch. 274, laws 1876-'77, amended.

Seizure and condemnation of fertilizers.

That the said act be and the same is hereby further amended by inserting at the end of the first sentence of said section, which concludes with the words "Department of Agriculture," the following clause, to-wit:

SECTION 1. The proceeding to condemn the same shall be by civil action in the superior court of the county where the fertilizer is on sale, and in the name of the board of agriculture, who shall not be required to give bond for the prosecution of said action. And at or before the summons is issued, the said board shall, by its agent, make affidavit before the clerk of said court of these facts.

Proceedings to condemn fertilizers to be by civil action, &c.

Affidavit.

1st. That a license has been obtained for the sale of a fertilizer of a particular brand.

2nd. That samples of the same have been analyzed under authority of the board, and found to correspond with the label attached to the same.

3rd. That the defendant in the summons has in his possession, and on sale, fertilizers of the same name and brand, and bearing a label or stamp representing the analysis made.

4th. That the fertilizers on hand and on sale are spurious, and do not in fact contain the ingredients, or in the proportion represented by the stamp or label on